

DATE: November 20, 1987

TO: Celia Ballesteros, Councilmember, District 8

FROM: City Attorney

SUBJECT: District 8 Community Awards and Recognition

By memorandum of November 18, 1987 you asked our opinion on the expenditure of \$3,175 for printing and mailing invitations for "a celebration to recognize ... work done by the citizens of District Eight" Assistant City Attorney C. M. Fitzpatrick responded that such general celebrations do not evidence a public purpose for which public funds may be expended since municipal expenditures must have an ascertainable public purpose. City of Roseville v. Tulley, 55 Cal.App.2d 601, 607 (1942).

Today we have received a second memorandum from you which lists some seventeen (17) specific community task forces and associations that were not mentioned in your previous memorandum. Moreover you add that the purpose of the event is "to give recognition and commendations" to the groups. In light of these new facts, you ask for a reconsideration of whether this would constitute a public purpose justifying the use of public funds.

As we have pointed out to you, there is no judicial definition of "public purpose" the courts deciding each case on its own peculiar facts. City of Roseville, supra at 609. However, this office has previously opined that recognition dinners and awards benefiting both employees and volunteer citizen efforts have a public purpose in that they enhance and encourage public service. 1953 San Diego City Attorney Opinion 226, 227. Certainly an event to recognize some seventeen (17) citizen groups falls in the same category and accordingly we believe it would satisfy the public purpose requirements.

As you can appreciate, each expenditure must be evaluated on its peculiar facts and therefore a full description of both recipients and purpose is necessary for our evaluation.

JOHN W. WITT, City Attorney

By

Ted Bromfield

Chief Deputy City Attorney

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